

REMARKS

In the Office Action mailed September 21, 2005, the Examiner rejected claim 12 under 35 U.S.C. § 112, second paragraph, as being indefinite; rejected claims 1-12 and 15-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,911,701 to *Arima*; and indicated that claims 13 and 14 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for the indication of the allowable subject matter in claims 13 and 14. By this amendment, Applicants have amended claims 1 and 12 to more appropriately define Applicants' invention and correct informalities. Applicants have also amended claim 10 to correct grammatical errors and informalities. No new matter has been added by this reply. Claims 1-26 remain pending with claims 21-26 withdrawn from consideration.

Applicants respectfully traverse the rejection of claim 12 under 35 U.S.C. § 112, second paragraph. Applicants respectfully submit that amended claim 12 complies with the provisions of 35 U.S.C. § 112, second paragraph, and accordingly, the rejection of this claim should be withdrawn.

Applicants respectfully traverse the rejection of claims 1-12 and 15-20 under 35 U.S.C. § 102(e) as being anticipated by *Arima* because *Arima* fails to disclose every claim element. For example, independent claims 1 and 10, from which claims 2-12 and 15-20 ultimately depend, each recite a combination of elements including, among other things, a second gate having a non-uniform gate width and a gate length that varies with

a position along the gate width. In contrast, *Arima* discloses a control gate, having a shape that "depends on the shape of the main gate 1, and thus is mostly rectangular" (col. 13, lines 62-65). *Arima* fails to disclose, at least, a second gate having a non-uniform gate width and a gate length that varies with a position along the gate width.

Because *Arima* fails to disclose every claim element of independent claims 1-12 and 15-20, the Section 102(e) rejection of these claims is improper and should be withdrawn.


In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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